

## PUBLIC UTILITIES COMMISSION

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LOS ANGELES, CA 90013



November 4, 2009

Christopher Calfee, Special Counsel  
ATTN: CEQA Guidelines  
California Resources Agency  
1017 L Street, #2223  
Sacramento, CA 95814  
[CEQA.rulemaking@resources.ca.gov](mailto:CEQA.rulemaking@resources.ca.gov)

**Re: Notice of 15 Day Comment Period on Changes to Proposed Amendments to  
the State CEQA Guidelines (Deadline: 11/10/09)**

Dear Mr. Calfee:

As the state agency responsible for rail safety within California, the California Public Utilities Commission (CPUC or Commission) is providing the following additional comments on the CEQA checklist rulemaking:

In Chapter 3. Guidelines for Implementation of the California Environmental Quality Act, Article 20. Definitions, Appendix G, Environmental Checklist Form, XVI. Transportation/Traffic--

In the revised paragraph a) of this section, the Commission recommends that additional language be added to specifically address at-grade rail crossings and rail corridors. The failure of the checklist to reference such facilities does not adequately direct project proponents to address rail safety in their evaluations and leaves this issue subject to hopefully be identified by the reader. In our role as a responsible agency, we find these considerations are often unintentionally omitted. We understand that relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit could and should be intended to include rail corridor and crossing safety considerations, however it would be of more value to checklist users to explicitly identify rail corridors and at-grade rail crossings so that these considerations can be made at the appropriate time, and our identification of them later in the process does not have adverse impacts to projects. This checklist enhancement could be accomplished by making the following modest insertion, "rail corridors and crossings," between the words "...freeways..." and "...pedestrian ..." in section XVI, paragraph a).

Thank you for your consideration of these additional comments. If you have any questions in this matter, please contact me at (213) 576-7097 or Daren Gilbert at (916) 324-8325 or email [DAR@cpuc.ca.gov](mailto:DAR@cpuc.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Georgetta Gregory".

Georgetta Gregory, Program Manager  
Rail Transit & Crossings Branch  
Consumer Protection and Safety Division

c: Paul King, CPUC